



# JUDICIAL COUNCIL OF CALIFORNIA

TRIAL COURT BUDGET  
ADVISORY COMMITTEE

[www.courts.ca.gov/tcbac.htm](http://www.courts.ca.gov/tcbac.htm)

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## TRIAL COURT BUDGET ADVISORY COMMITTEE

### MINUTES OF OPEN MEETING

May 6, 2021

12:00 p.m. – 2:00 p.m.

<http://jcc.granicus.com/player/event/1262?>

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**Advisory Body Members Present:** Judges: Hon. Jonathan B. Conklin (Chair), Hon. Daniel J. Buckley, Hon. Kimberly Gaab, Hon. Joyce D. Hinrichs, Hon. Patricia L. Kelly, Hon. Charles Margines, Hon. Deborah A. Ryan, and Hon. B. Scott Thomsen.

Executive Officers: Ms. Rebecca Fleming (Vice Chair), Ms. Kim Bartleson, Ms. Sherri Carter, Ms. Nancy Eberhardt, Mr. Chad Finke, Mr. Chris Ruhl, Mr. Neal Taniguchi, Mr. Brian Taylor, Ms. Kim Turner, and Mr. David Yamasaki.

**Advisory Body Members Absent:** Hon. Mark A. Cope, Hon. Jill C. Fannin, Mr. Shawn Landry, and Mr. Michael D. Planet.

**Others Present:** Mr. John Wordlaw, Ms. Fran Mueller, Mr. Zlatko Theodorovic, Ms. Brandy Olivera, Ms. Oksana Tuk, Mr. Catrayel Wood, and Hon. D. Zeke Ziedler.

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#### OPEN MEETING

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##### Call to Order and Roll Call

The chair welcomed the members, called the meeting to order at 12:02 p.m., and took roll call.

##### Approval of Minutes

The advisory body reviewed and approved minutes of the April 22, 2021 Trial Court Budget Advisory Committee (TCBAC) virtual meeting.

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#### DISCUSSION AND ACTION ITEMS (ITEMS 1 - 4)

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##### Item 1 - 2021-22 Court-Appointed Dependency Counsel Allocations (Action Required)

Consideration of the 2021-22 allocations from the Trial Court Trust Fund (TCTF) for court-appointed dependency counsel.

Presenter(s)/Facilitator(s): Ms. Audrey Fancy, Principal Managing Attorney, Judicial Council Center for Families, Children & the Courts

Ms. Vida Terry, Senior Analyst, Judicial Council Center for Families, Children & the Courts

**Action:** TCBAC unanimously voted to approve the 2021-22 allocations for Court-Appointed Dependency Counsel funding in the amount of \$156.7 million for consideration by the Judicial Council at its July 8-9, 2021 business meeting as outlined in the material attachment 1A.

**Item 2 - Allocations from the TCTF and Trial Court Allocations for 2021-22 (Action Required)**

Consideration of recommendations of the Revenue and Expenditure (R&E) Subcommittee regarding allocations from the TCTF for 2021-22, and consideration of 2021-22 trial court allocations, including the Workload Formula, from the TCTF, State Court Facilities Construction Fund (formerly the Immediate and Critical Needs Account pending trailer bill language), and General Fund.

Presenter(s)/Facilitator(s): Ms. Oksana Tuk, Senior Analyst, Judicial Council Budget Services

**Action:** TCBAC unanimously voted to approve the Funding Methodology Subcommittee allocation methodologies and R&E Subcommittee recommendations for the allocations below, with the assumption that the funding proposed in the 2021-22 Governor's Budget will remain in the final 2021 Budget Act:

- Base, discretionary, and non-discretionary programs from the TCTF in the amount of \$2.378 billion, including:
  - o State Court Facilities Construction Fund allocation in the amount of \$50.0 million for support for operation of the trial courts; and
  - o General Fund allocation in the amount of \$68.8 million for employee benefits.
- A Workload Allocation of \$2.215 billion based on methodologies approved by the Judicial Council.

**Item 3 - 2021-22 Self-Help Funding Three-Year Allocation Update (Action Required)**

Allocation update of the three-year average census data from the California Department of Finance, Demographic Research Unit, and Population estimates for Cities and Counties and the State.

Presenter(s)/Facilitator(s): Ms. Bonnie Hough, Principal Manager, Attorney, Center for Families, Children & the Courts

Mr. Nick Armstrong, Senior Research Analyst, Judicial Council Business Management Services

**Action:** TCBAC unanimously voted to approve the continued use of the \$34,000 base with the remainder of the funds allocated by population, and inclusion of the three-year population average updated every three years to be used for the allocation of self-help funding, for consideration by the Judicial Council at its July 8-9, 2021 business meeting.

**Item 4 - 2021-22 AB 1058 Family Law Facilitator and Child Support Commissioner Allocation Methodologies (Action Required)**

Consideration of a recommendation from the Family and Juvenile Law Advisory Committee on an updated methodology for facilitator allocations, and continued methodology for commissioner allocations with a 2021-22 biennial reallocation, as required by Assembly Bill 1058 (Stats. 1996, ch. 957). The funds are provided through a cooperative agreement between the California Department of Child Support Services and the Judicial Council.

Presenter(s)/Facilitator(s): Mr. Don Will, Deputy Director, Judicial Council Center for Families, Children & the Courts

Ms. Anna Maves, Supervising Attorney, Judicial Council Center for Families, Children & the Courts

**Action:** TCBCAC unanimously voted to approve the following recommendations from the Family and Juvenile Law Advisory Committee, which excludes #5 to defer making recommendations 1 and 3 until 2022-23 if AB 1058 funding is not restored to 2018-19 levels in the 2021 Budget Act, for consideration by the Judicial Council:

1. Approve a new funding methodology for the AB 1058 Family Law Facilitator program base funding that allocates a \$34,000 baseline level of funding for each court and distributes the remainder of funding by total population as described below and set forth in Attachment 4A. The methodology ensures that funding changes are capped at 5 percent and smaller courts can continue to operate their programs.
2. Restore the overall AB 1058 program funding to 2018–19 levels, if reflected in the 2021 Budget Act.
3. Approve the committee’s recommended base allocation for the Child Support Commissioner program for 2021–22 and 2022–23 as described below and set forth in Attachment 4C, maintaining the current funding methodology approved by the Judicial Council in 2019 with updated workload data.
4. Approve the committee’s recommendation for 2021–22 AB 1058 program funding for the courts comprised of the base funding allocations derived from recommendations 1 and 3, and federal draw down funding using the methodology adopted by the Judicial Council in January 2019.
6. Direct the FJLAC to defer making a recommendation for AB 1058 funding a minimum service level for smaller courts until 2023–24.
7. Direct the FJLAC to review the implementation of the AB 1058 funding methodology, including its impact on the performance of the program as federally mandated, prior to 2023–24.

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**INFORMATION ONLY ITEMS (ITEMS 1 - 3)**

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**Info 1 - 2021-22 Budget Update**

Update on the budget for 2021-22.

Presenter(s)/Facilitator(s): Ms. Fran Mueller, Deputy Director, Judicial Council Budget Services

**Action:** No action taken.

**Info 2 - Allocations from the State Trial Court Improvement and Modernization Fund (IMF) for 2021-22**

Status update on the IMF revenues and allocations for 2021-22.

Presenter(s)/Facilitator(s): Mr. Zlatko Theodorovic, Deputy Director, Judicial Council Budget Services

**Action:** No action taken.

**Info 3 - \$50 Million One-Time COVID-19 Funding and Redistribution Update**

Update on the most recent expenditure reporting information as well as the allocation redistribution to occur this fiscal year.

Presenter(s)/Facilitator(s): Ms. Brandy Olivera, Manager, Judicial Council Budget Services

**Action:** No action taken.

**Info 4 - TCTF Funds Held on Behalf Expenditure Reporting**

Quarterly report to the TCBAC on how funds were expended for projects and planned expenditures that are complete; nothing to report this quarter.

Presenter(s)/Facilitator(s): Mr. Catrayel Wood, Senior Analyst, Judicial Council Budget Services

**Action:** No action taken.

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**A D J O U R N M E N T**

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There being no further business, the meeting was adjourned at 1:10 p.m.

Approved by the advisory body on August 5, 2021.